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PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/813,225
Filing Date	March 20, 2001
First Named Inventor	Orr et al.
Group Art Unit	3736
Examiner Name	P. Mallari
Attorney Docket Number	2181-4637US

### ENCLOSURES (check all that apply)

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| <input checked="" type="checkbox"/> Postcard receipt acknowledgment (attached to the front of this transmittal)   | <input type="checkbox"/> Information Disclosure Statement, PTO/SB/08A; <input type="checkbox"/> copy of cited references  | <input type="checkbox"/> Terminal Disclaimer                         |
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| <input type="checkbox"/> Preliminary Amendment  | <input type="checkbox"/> Associate Power of Attorney  | <input type="checkbox"/> Terminal Disclaimer                         |
| <input type="checkbox"/> Response to Restriction Requirement/Election of Species Requirement dated _____  | <input type="checkbox"/> Petition for Extension of Time and Check No. _____ in the amount of \$ _____   |  |
| <input type="checkbox"/> Amendment in response to office action dated _____   | <input type="checkbox"/> Petition   |  |
| <input checked="" type="checkbox"/> Amendment under 37 C.F.R. § 1.116 in response to final office action dated April 5, 2005                              | <input type="checkbox"/> Fee Transmittal Form   | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Additional claims fee - Check No. _____ in the amount of \$ _____  | <input type="checkbox"/> Certified Copy of Priority Document(s)   |  |
| <input type="checkbox"/> Letter to Chief Draftsman and copy of FIGS. _____ with changes made in red   | <input type="checkbox"/> Assignment Papers (for an Application)   |  |
| <input type="checkbox"/> Transmittal of Formal Drawings   | Remarks   |  |
| <input type="checkbox"/> Formal Drawings ( _____ sheets)  | The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application. |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Brick G. Power

Registration No. 38,581

Signature

Date June 6, 2005

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**PATENT  
Expedited Procedure  
Under 37 C.F.R. § 1.116  
Technology Center 3700**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Orr et al.

**Serial No.:** 09/813,225

**Filed:** March 20, 2001

**For:** REBREATHING METHODS  
INCLUDING OSCILLATING,  
SUBSTANTIALLY EQUAL  
REBREATHING AND NON-  
REBREATHING PERIODS

**Confirmation No.:** 3421

**Examiner:** P. Mallari

**Group Art Unit:** 3736

**Attorney Docket No.:** 2181-4637US (01-38)

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**AMENDMENT UNDER 37 C.F.R. § 1.116**

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P.O. Box 1450  
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Sir:

This Amendment is being filed in response to the Final Office Action mailed on April 5, 2005, the three-month shortened statutory period for response to which expires on July 5, 2005. As June 5, 2005, falls on a Sunday and this Amendment is being filed by Monday, June 6, 2005, it should be deemed to have been submitted within two months of the mailing date of the Final Office Action.

Amendments to the claims are set forth in the listing of the claims that begins on page 2 of this paper; and

Remarks start at page 14 of this paper.